



Texas Department of Health

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Commissioner

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Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services

Hermas L. Miller
Deputy Commissioner
Management and Administration

FEB 26, 1988

Mr. Kevin A. Fleming
Construction Manager
Lincoln Property Company
100 Congress Ave, Suite 1700
Austin, Texas 78701

Subject: Solid Waste - Travis County
Lincoln Property Co File - 100 Congress Ave
Closure Plan Revision Acceptance

Dear Mr. Fleming:

Our staff has reviewed the revised closure plan submitted to our office with your letter dated February 4, 1988.

We have also received comments on the revised plan from Ms. Martha M. McKee, Chief, Superfund Site Assessment Section, Region 6, U.S. Environmental Protection Agency (EPA) and from Mr. Samuel B. Pole, Chief, Hazardous and Solid Waste Enforcement Section, Hazardous and Solid Waste Division, Texas Water Commission (TWC). EPA did not have any comments. TWC indicated that "the closure plan ... should when adequately implemented, provide reasonable assurance of effective *industrial* solid waste management subject to the submitted certifications."

The Texas Department of Health (TDH) accepts the plan, as revised and dated January 1988, with the following interpretations as to soil contamination level. Any soil in which there are detectable levels of the parameters listed in Table B-1, Appendix B, (the parameters) of the revised closure plan shall be considered to be contaminated. The methodology used for analysis shall be the methods specified in Table B-1, Appendix B. The term "relatively uncontaminated soils" shall mean any soil for which the total concentration of all the parameters is equal to or less than 500 ppm. The term "contaminated soil" shall mean any soil for which the total concentration of all the parameters is greater than 500 ppm. Any soil used to backfill the excavation(s) created during removal of the contaminated soil must be uncontaminated, i.e., must not contain detectable amounts of the parameters.

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Relatively uncontaminated soils may be taken to any Type I municipal landfill and may be used by the landfill for intermediate daily cover unless use of the soil would cause an odor problem. Contaminated soil must be taken to a Type I landfill approved by TDH to accept the soil as a "Special Waste" in accordance with Section 25 TAC 325.136(a) of the Departments' "Municipal Solid Waste Management Regulations" (MSWMR).

Prior to discharge of any waters collected on the site a permit or authorization for said discharge must be obtained from the City of Austin and/or the Texas Water Commission. Any waters discharged from the site during closure operations must be discharged in accordance with the requirements established by the City of Austin and/or the Texas Water Commission.

If you have any questions concerning this letter or if we may be of any assistance to you regarding solid waste management, you may contact L. E. Mohrmann, Ph.D., C.P.C., here in Austin at telephone number (512) 458-7271 or you may prefer to contact Mr. Oran S. Buckner, P.E., Regional Director of Environmental and Consumer Health Protection at P.O. Box 190, Temple, Texas 76501; telephone number (817) 778-6744.

Sincerely yours,

LE Mohrmann CPC

for Rocky Stevens, P.E., Chief
Surveillance and Enforcement Branch
Division of Solid Waste Management

LEM:gsr

cc: Region 1, TDH
Mr. Stephen O. Drenner, Jenkins & Gilchrist
Mr. Philip Winsborough, Texas Water Commission
Division of Water Quality, Texas Water Commission
Ms. Martha M. McKee, EPA (6H-ES)/ TXD 981155971
Austin Travis County Health Department
Department of Environmental Protection, City of Austin
Radian Corporation